

PRIVACY NOTICE

For the Call for Expressions of Interest to become a Member of the L4 Payload Working Group

INTRODUCTION

The European Space Agency (herein the “Agency” or “ESA”) is an intergovernmental organisation established by its Convention opened for signature in Paris on 30 May 1975. The Protection of Personal Data is of great importance for ESA, which strives to ensure a high level of protection as required by the ESA Framework on Personal Data Protection (herein the “ESA PDP Framework”) which applies for processing of Personal Data at ESA, available at:

http://www.esa.int/About_Us/Law_at_ESA/Highlights_of_ESA_rules_and_regulations

The ESA PDP Framework applicable for the processing of Personal Data within ESA is composed of the following elements:

- the Principles of Personal Data Protection, as adopted by ESA Council Resolution (ESA/C/CCLXVIII/Res.2 (Final)) adopted on 13 June 2017;
- the Rules of Procedure for the Data Protection Supervisory Authority, as adopted by ESA Council Resolution (ESA/C/CCLXVIII/Res.2 (Final)) adopted on 13 June 2017; and
- the Policy on Personal Data Protection adopted by Director General of ESA on 5 February 2018 and effective on 1 March 2022.

SCOPE OF THIS PRIVACY STATEMENT

This notice is intended to inform you about the processing of your personal data for the Expressions of Interest to become a Member of the L4 Payload Working Group, and more specifically about:

- the identity of the Data Controller and contact details of the ESA Data Protection Officer (“DPO”);
- the type of personal data collected and processed;
- the modalities of collection of personal data;
- the purpose and legal basis of the collection and processing;
- the recipients to whom the personal data of the Data Subject is disclosed;
- the time-limits for storing the personal data;
- your rights and the modalities by which you can exercise them and the practical modalities of exercising your rights and those rights of other persons, when processed in this Processing Activity under the ESA PDP Framework.

[For Internal Reference - DPNR Reference Number 1496] Kindly provide this “DPNR Reference Number” in any communication with the ESA Data Protection Officer (dpo@esa.int) for quick reference of the Processing in question.
This Privacy Notice was last updated on: 28 November 2024]

Please be aware that all references to “Data” in this document if not otherwise stated relate to data by which an individual could be identified / having an identifying character, broadly defined as Personal Data.

DESCRIPTION AND THE PURPOSE FOR THIS PROCESSING OF YOUR PERSONAL DATA

ESA invite interested parties to express their interest to become a Member of the L4 Payload Working Group via a dedicated registration page.

Your personal information will be used:

- to enable your participation in an Announcement of Opportunity or Call;
- to associate you to the proposal or application you are submitting;
- to manage your relationship with the Agency as well as to engage in correspondence with you, related to an Announcement of Opportunity or Call;
- to facilitate the assessment of a proposal or application for an Announcement of Opportunity or Call by sending to external reviewers;
- to announce and publish the names and institutes of successful candidates on ESA web platforms;
- and for statistical analysis.

The general purpose of this processing is to enable your participation in the Announcement of Opportunity or Call and to monitor the overall participation in Announcements of Opportunity or Calls.

LEGAL BASIS *(What is the legal basis for processing the personal data?)*

Specific Legal Basis for this processing:

- ESA PDP 5.2.1 i. (a) The performance of an activity carried out by the Agency within its purpose and in the framework of, and in conformity with, the ESA Convention, the “Agreement between the States Parties to the Convention for the establishment of a European Space Agency and the European Space Agency for the protection and the exchange of classified information” done in Paris on 19 August 2002, and the applicable rules and procedures, including ESA Security Regulations and Directives; this includes Processing necessary for the Agency’s management and functioning, Dispute Resolution Procedure, and or Investigation Procedures;
- ESA PDP 5.2.1 i. (f) The legitimate interest of the Data Subject;
- ESA PDP 5.2.1 i. (g) A purpose covered by the Consent of the Data Subject.

Consent is collected via the registration page (with checkbox) at cosmos.esa.int.

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DATA CONTROLLERS, DATA PROCESSORS, OTHER RECIPIENTS OF PERSONAL DATA AND THEIR CONTACT DETAILS

The following table lists all the involved companies, agencies or otherwise, where your personal data may be processed and all relevant information concerning their involvement in this activity.

Processing Entity and Responsibility	Personal Data Categories	Type of Personal Data in detail	Description of Processing Responsibilities and specific Purpose of the Processing
European Space Agency (ESA) as Controller	Contact Details Affiliation Data Curriculum Vitae Letter of Intent application file Proposal application file	Name, Surname, E-Mail address Professional Affiliation and base of operation Details about their career that the applicant considers relevant. Letter indicating intention to apply for membership of the body. Description of the applicant's areas of expertise relevant to the body they are applying to be a member of.	Your personal data are collected and further processed as described in this Privacy Notice upon the decision taken by: ESA. ESA manage and run the AO/Call and the assessment of applications, and process the data for this purpose. This processing is carried out under your Legitimate Interest and in the public interest. Limited data used, with your consent, for statistical analysis.
ESA DPO	All Personal Information required to accomplish the DPO's duties as defined in the ESA PDP	All Personal Information required to accomplish the DPO's duties as defined in the ESA PDP	According to ESA PDP Framework, your first and unique point of contact concerning personal data matters is the ESA Data Protection Officer ("DPO"). In this regard your personal information may be processed by ESA's DPO to reply to your requests and to exercise your rights under the ESA PDP. This processing is carried out under your Legitimate Interest.
External reviewers as Controllers	Contact Details Affiliation Data Curriculum Vitae Letter of Intent application file Proposal application file	Name, Surname, E-Mail address Professional Affiliation and base of operation Details about their career that the applicant considers relevant. Letter indicating intention to apply for membership of the body. Description of the applicant's areas of expertise relevant to the body they are applying to be a member of.	Your personal data are shared with external experts for the purpose of assessing the application. These external experts have signed a non-disclosure understanding with ESA. This processing is carried out under your Legitimate Interest and in the public interest.

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Contact Details per involved entity:

Entity	Contact Details
European Space Agency (ESA)	Headquarters: 8-10 Rue Mario Nikis, CS 45741, 75738 Paris Cedex 15, France. Your first point of contact is ESA's DPO at DPO@esa.int at all times. For this activity, you may also contact ao-support@esa.int
ESA DPO	Data Protection Officer: DPO@esa.int
External reviewers as Controller	EEA/EU or Territories demonstrating Adequate Level of Protection

PERSONAL DATA DISCLOSURE, TRANSFER AND SAFEGUARDS

The names and associated institutes of successful applicants will be made public on an ESA website, for the purposes of transparency, public interest, and historical record.

All candidates' data may be shared with external reviewers for the purpose of assessment. These data remain within the EU/EEA or Territories demonstrating Adequate Level of Protection. External reviewers have signed a Non-disclosure Understanding document with ESA.

PERSONAL DATA RETENTION AND DELETION

Personal data are retained by ESA for the time period necessary to fulfil the legitimate purpose of the processing.

Your Personal Data are stored and processed based on the following timeframes:

Personal Data Categories and Place of Processing	Retention
Application data (all submitted application data) Stored and processed at ESA establishments and within the EU/EEA or Territories demonstrating Adequate Level of Protection	Data are held for assessment for a period of up to 4 years and are then deleted.
Application data (all submitted application data) Stored and processed by external reviewers	Data are held for assessment only and deleted no later than one month after the review is complete, as noted in the NDU signed by the reviewers.
Consent records for analytics Stored and processed at ESA establishments	Consent records are held for 4 years after consent is collected.

Other Considerations

The Agency does not consider your personal data as an asset for sale and, thus, does not sell your personal data to any third parties.

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ESA does not instruct any third party to conduct any web analytics, profiling or any other processing on ESA's behalf, other than the purposes mentioned above.

YOUR RIGHTS

You have the right to be informed in a transparent manner about: the processing of your personal data (the Controller, purpose, recipients, etc.); your rights and the modalities of exercising these, (e.g. erasure, rectification, completion, or amendment as per the conditions under PDP 5.1. i.; right for every interested Data Subject to lodge a complaint before the Supervisory Authority in case the former demonstrates or has serious reasons to believe that a Data Protection Incident occurred in relation with his/her Personal Data, following a decision of the Agency (e.g. Data Protection Officer). The right of information under PDP 5.4.1 i. and the right of access under Section 5.4.1 ii. shall not apply: (a) where and insofar as the Data Subject is already in possession of the information; (b) for the right of information, when processing of Personal Data is necessary for any Investigation or Dispute Resolution Procedure; (c) for the right of access, where and insofar such access would conflict with an Investigation Procedure concerning the Data Subject.

If you would like to exercise any of those rights, please send a request explicitly specifying your query to the ESA DPO via e-mail at dpo@esa.int or addressed (via postal service) to the:

ESA Headquarters

Data Protection Officer

8-10 RUE MARIO NIKIS

CS 45741

75738 PARIS CEDEX 15

FRANCE

Please keep in mind that the more specific information you can provide to us about the Activities, Events, Systems, ESA Departments and/or Processes where your personal data is to your knowledge stored, the sooner we can respond to your enquiry, request or complaint.

We seek to respond without undue delay, and in any event within one month of receipt of the request. However, that period may be extended by two further months where necessary, taking into account the complexity and number of the requests. You will be informed of any such extension, together with the reasons for the delay.

If you wish to submit a complaint to the ESA Data Protection Supervisory Authority, you are required to comply with the Rules of Procedure of the Supervisory Authority set forth in the ESA PDP Framework:

https://www.esa.int/About_Us/Law_at_ESA/Highlights_of_ESA_rules_and_regulations).

You will be required to demonstrate that a Data Protection Incident occurred in relation to your personal data, following a decision of the Agency or at least be able to provide serious reasons and indicators to establish that such an incident occurred.

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PERSONAL DATA BREACH

If you have any concerns about your personal data or became the victim of a data breach of ESA processed personal data, you should contact ESA's DPO, as first point of contact, by sending an email to: dpo@esa.int and provide all information available to you regarding the potential breach.

YOUR CONSENT FOR PROCESSING YOUR DATA FOR ANALYTICS

The processing of personal data for analytics is based on your consent. You may provide your consent by accepting this privacy notice (selecting the 'I accept the privacy notice associated with this Call' checkbox) prior to submitting the form on the submission website.

You can withdraw such consent by requesting ESA to stop the processing. This will not affect the legitimacy of the personal data processing that took place prior to the withdrawal of user consent. You can withdraw your consent at any time by sending an email to ESA DPO at: dpo@esa.int; copy: ao-support@cosmos.esa.int.

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